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UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:02-cr-00674-JCM-NJK
)	
Plaintiff,)	
)	STIPULATION TO AMEND
v.)	THE BRIEFING SCHEDULE
)	
CHAO FAN XU; GUO JUN XU; WAN)	
FANG KUANG; and YING YI YU,)	
)	
Defendants.)	
_____)	

The parties — the United States of America, Chaofan Xu, Guojun Xu, Wanfang Kuang, and Yingyi Yu — stipulate to amend the briefing schedule set out in the court’s April 21, 2017 Order (Doc. 928). According to that order, the parties are to file answering briefs by Monday, July 17, 2017, and then file objections to the revised presentence report by Monday, August 7, 2017. *Id.* at 1.

The stipulated and proposed amendment. The parties have agreed and stipulate to extend the due date for the answering briefs from Monday, July 17, 2017 to Monday, August 7, 2017. The parties will file their answering briefs and objections to the revised presentence report that day.

Reasons for the extension. Counsel for Guojun is going to have surgery on her ankle, Monday, July 17, 2017. She will be out on medical leave from July 17, 2017 through July 28, 2017.

Furthermore, Chaofan and Guojun still have not been transferred to Las Vegas for the resentencing hearing. Counsel for defendants need time to meet with their clients, to go over the revised presentence report, go over any objections to and errors in the revised report, to discuss

1 the issues raised thus far in the sentencing briefs, to prepare appropriate responses for the
2 answering brief, and to prepare for all other aspects of the sentencing hearing, *e.g.*, prepare for
3 and present all matters counsel believe are appropriate under 18 U.S.C. § 3553 for the court to
4 consider in sentencing defendants. And, as the court knows, once the defendants are transferred
5 to Las Vegas for the sentencing hearing, they will be incarcerated in the Nevada Southern
6 Detention Center in Pahrump, Nevada. That is a 45 minute drive, or so, one way from Las Vegas.
7 Schedules will need to be rearranged and other accommodations made so that counsel can travel
8 to Pahrump to meet with their clients to do all of the above. This is particularly true since we
9 currently don't have an exact date when Chaofan and Guojun will be in Las Vegas.

10 The parties have discussed, and understand, that all of this cannot be accomplished in one
11 client visit, and thus counsel will need about a two-week window of time to meet with their
12 clients as needed to do all of the above before filing their answering briefs and objections to the
13 revised presentence report.

14 The latest information provided to counsel for the United States indicates that Chaofan
15 and Guojun are expected to be in Las Vegas by July 24 or 25, 2017. Based on this information,
16 and the need for about a two-week window of time for counsel to meet with their clients, as
17 discussed above, the parties agreed to extend the due date for the answering briefs and enter into
18 this stipulation.

19 ***The sentencing hearing date.*** For now, the parties respectfully request the court keep the
20 current sentencing date of Monday, August 14, 2017. *See* Doc. 928 at 2.

21 This, of course, is based on the current expectation that Chaofan and Guojun will be in
22 Las Vegas by July 24 or July 25, 2017, so that counsel can meet with them before filing
23 answering briefs and objections to the revised report. And, it's based on the assumption that one
24 week — *i.e.*, from Monday, August 7, 2017 to Monday, August 14, 2017 — gives the court the
25 time it needs to read all of the briefing and objections to the revised presentence report before the
26 sentencing hearing.

If Chaofan and Guojun do not arrive in Las Vegas by July 24 or July 25, 2017, the parties have agreed to extend the time to file the answering briefs and objections to the revised presentence report and the sentencing hearing date, accordingly, keeping in mind the two-week window of time discussed above to give counsel time to meet with their clients before filing the briefs and objections (*e.g.*, if Chaofan and Guojun arrive one week later, say around July 31 or August 1, 2017, the briefs and objections will be filed one week later too, by August 14, 2017 instead of August 7, 2017, and the sentencing hearing will be continued for a week, too, from August 14 to August 21, 2017, or a date thereafter convenient for the court).

Likewise, if one week does not give the court enough time to read all of the briefs and objections, the parties understand that the court may need to move the current sentencing date of August 14, 2017 to a time thereafter that is convenient for the court and gives it enough time to prepare for the hearing.

But for now, the parties respectfully request the court keep the current sentencing hearing date of Monday, August 14, 2017.

DATED: July 13, 2017.

s/ Marty Woelfle
MARTY WOELFLE
Counsel for the United States

s/ Mario D. Valencia
MARIO D. VALENCIA
Counsel for Chaofan Xu

s/ Amy B. Cleary
AMY B. CLEARY
Counsel for Guojun Xu

s/ Loren Graham
LOREN GRAHAM
Counsel for Yingyi Yu

s/ Chad A. Bowers
CHAD A. BOWERS
Counsel for Wanfang Kuang

IT IS SO ORDERED July 13, 2017.


UNITED STATES DISTRICT JUDGE